1 2 3 4 5 UNITED STATES DISTRICT COURT 6 7 DISTRICT OF NEVADA 8 9 SAMMY JOHNSON, Case No. 2:16-cv-00062-APG-NJK 10 Plaintiff, ORDER 11 ٧. 12 ARTHUR EMLING et al., 13 Defendants. 14 I. DISCUSSION 15 On July 5, 2016, this Court dismissed the case, with prejudice, for failure to state 16 a claim and found that amendment would be futile. (ECF No. 6 at 6). On November 7, 17 2016, Plaintiff filed a motion for relief from retaliation. (ECF No. 11). In the motion, it 18 appears that Plaintiff is alleging that he may be housed with a potentially violent inmate.¹ 19 (Id.) 20 The Court notes that this case is closed. If Plaintiff seeks to open a new lawsuit, 21 he shall file a new application to proceed in forma pauperis and a new complaint with the 22 Clerk of the Court. If Plaintiff believes he is in imminent danger, he may also submit a 23 motion for temporary restraining order with his application to proceed in forma pauperis 24 and complaint. Plaintiff shall file no more documents in this closed case. 25 ///26 27 28

¹ The Court is having difficulty understanding Plaintiff's motion. (ECF No. 11). Plaintiff states that another inmate "killed" him on July 14, 2015. (*Id.* at 3).

II. CONCLUSION

For the foregoing reasons, it is ordered that the motion for relief from retaliation (ECF No. 11) is denied. Plaintiff shall file no more documents in this closed case.

It is further ordered that the Clerk of the Court shall send Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

It is further ordered that the Clerk of the Court shall send to Plaintiff the approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The Clerk of the Court shall also send Plaintiff a copy of his motion for retaliation (ECF No. 11).

It is further ordered that Plaintiff may open a new case by submitting an application to proceed *in forma pauperis* and a complaint to the Clerk of the Court.

DATED THIS 6th day of December 2016.

UNITED STATES DISTRICT JUDGE